



DECLARATION AND POWER OF ATTORNEY

As a below named inventor, I hereby declare that:

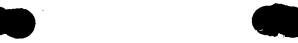
My residence, post office address and citizenship are as stated below next to my name;

I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled

AUTOMATED OVERLAY METROLOGY SYSTEM

the specificat	ion of	which:		
(check one)	⊠	is attached hereto was filed on as Application Serial No. Unkn and was amended on (if applicable)	<u> </u>	
as amended b	y any a	amendment referred to above.	rstand the contents of the above identification on which is material to the examination	
I her	eby cla	im foreign priority benefits unde	r Title 35, United States Code, § 119 on tified below any foreign application for priority is claimed:	of any foreign application(s) for patent r patent or inventor's certificate having
Prior Foreign	ı Appli	cation(s)		priority claimed
O (Numbe	r)	(Country)	(Day/Month/Year Filed)	yes no
(Numbe	r)	(Country)	(Day/Month/Year Filed)	yes no
and, insofar a the manner p information a	as the si rovided as defin	ubject matter of each of the clain I by the first paragraph of Title	Inited States Code, § 119(e) of any Unas of this application is not disclosed in 35, United States Code, § 112, I acknowledge I Regulations, § 1.56 which occurred the date of this application:	n the prior United States application in nowledge the duty to disclose material
(Applic	ation S	erial No.) (Fili	ng Date) (Status: patented, p	ending, abandoned)
and any conti	inuatioi	applications thereof currently p	pending.	

Power of Attorney: As a named inventor, I hereby appoint C. Lamont Whitham, Reg. No. 22,424, Marshall M. Curtis, Reg. No. 33,138, and Michael E. Whitham, Reg. No. 32,635, as attorneys and/or agents to prosecute this application and transact all business in the Patent and Trademark Office connected therewith. All correspondence should be directed to Whitham, Curtis & Whitham, Reston International Center, 11800 Sunrise Valley Dr., Suite 900, Reston, Virginia 20191. Telephone calls should be directed to Whitham, Curtis & Whitham at (703) 391-2510.



I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Full Name of Sole

or First Inventor	Bernard Fay	***************************************	
Inventor's Signature _	Bernerd Fay	Date 5/21/01	
Residence	22451 Citation Drive, Los Gatos, California	95033	
Citizenship	USA		
Post Office Address _	Same as above		
Full Name of Joint or second Inventor			
Inventor's Signature _		Date	
Residence 43 Dole	rita Court, Fremont, California 94539		
Citizenship USA			_
Post Office Address _	Same as above		
Tille 37, Code of Feder	eral Regulations, § 1.56:		
(a) A patent by its ver	ry nature is affected with a public interest. The	public interest is best served, and the n	nost effective patent
20 3	hen, at the time an application is being examine		
information material to	patentability. Each individual associated with the	the filing and prosecution of a patent ap	plication has a duty
of candor and good fai	ith toward the Patent and Trademark Office, wh	nich includes a duty to disclose to the O	ffice all information
known to that individua	al to be material to patentability as defined in this	section. The duty to disclose information	n exists with respect
	until the claim is canceled or withdrawn from c		
	, information is material to patentability when it		

made of record in the application, and (1) it establishes, by itself or in combination with other information, a prima facie case of unpatentability; or (2) it refutes, or is inconsistent with, a position the applicant takes in: (i) opposing an argument of unpatentability

relied on by the Office, or (ii) asserting an argument of patentability.